REMARKS

This is in response to the Office Action of June 1, 2005. With this response claims 1, 5, 32 and 35 are amended and all pending claims 1-55 are presented for reconsideration and favorable action.

In the Office Action the Examiner rejected claims 1-55 under 35 U.S.C. 102(b) based upon Kotoulas US patent number 6,493,689. It is believed that the pending claims are patentably distinct from this reference.

Initially, applicant notes that the Kotoulas reference relates to controlling noise in devices such as helicopters (Fig. 1), ships (Fig. 2), or aircraft (Fig. 3) by modifying a control signal. See, for example, the abstract of Kotoulas et al. In contrast, independent claim 1 relates to providing a diagnostic output in independent claim 32 relates to diagnosing operation of a process component or a process disturbance. Applicant has reviewed the Kotoulas reference and finds no reference to performing diagnostics. Column 10, lines 24-34 of Kotoulas was cited as relating to a diagnostic output. However, this section simply relates to determining that an emulator which models a plant is not "accurate enough". As Kotoulas does not describe diagnosing or diagnostics, it is believed the rejection should be withdrawn.

Additionally, the present invention relates to industrial processes. An industrial process is, for example, an oil refinery, a chemical manufacturing plant, etc. In such processes, process fluids are subjected to various conditions in order to produce a desired product. Such conditions include, for example, temperatures, pressures, chemicals, etc. The claims have been amended to more accurately indicate that the present invention is applicable to such industrial processes. The claims have been amended to state that the industrial process includes process piping for carrying process fluid. It is believed that Kotoulas does not include any such industrial process. Therefore, it is believed that

the rejection should be withdrawn.

Additionally, the pending claims state that the process includes a transmitter or a controller. As described in the instance specification, transmitters and controllers are devices which are used to control or monitor an industrial process. It is believed that Kotoulas et al. do not describe such devices. For this additional reason the rejection should be withdrawn.

The independent claims also describe communication over a two-wire process control loop. Such two-wire process control loops are described in the instance specification and are used in industrial processes to remotely communicate with process devices. The Kotoulas reference shows no such configuration. Column 20, lines 14-28 was identified in the Office Action as showing communication circuitry configured to couple to a two-wire process control loop. However, that section of Kotoulas simply describes outputting a control signal. For this additional reason it is believed that the rejection should be withdrawn.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Additionally, applicant notes that the dependent claims, when read in the context of the independent claims, contain numerous configurations which are not shown by the Kotoulas et al. reference. Consideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to deposit account No. 23-1123.

Respectfully submitted,

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